APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,717	10/12/2001	Venky Harinarayan	31052.P002	2465

25943	7590	03/11/2005	

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EXAMINER
JACKSON, JAKIEDA R

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/976,717	HARINARAYAN ET AL.
	Examiner	Art Unit
	Jakieda R Jackson	2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/8/02*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities:

Errors and/or typos were found (e.g. page 7, line 30 "specific", should be

--specify--, page 10, line 23 "know", should be --known--, etc.)

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   **Claims 1, 6-11, 16, 19, 24-28, 31-32 and 37-41** rejected under 35

U.S.C. 102(b) as being anticipated by Chevion et al. (USPN 5,455,875),

hereinafter referenced Chevion.

Regarding claims **1, 19 and 32**, Chevion discloses a hybrid/human

computation method, storage medium and apparatus, comprising:

a computer system receiving a first and a second subtask of a task

(display images that are problematic, for operator to correct; column 1, lines 36-

46 with column 5, lines 9-11);

the computer system dispatching the first subtask to a first human for performance by said first human (display images that are problematic, for operator to correct; column 1, lines 36-46);

the computer system receiving a first result from said first human for said first subtask operator checks and correct; column 1, lines 36-46 with column 5, lines 30-35); and

the computer system generating a result for said task based at least in part on said first result (column 4, lines 49-52).

Regarding **claims 6, 24 and 37**, Chevion discloses the method, storage medium and apparatus, wherein said human is one of college educated, at most high school educated, at most elementary school educated, and not formally educated (format is easy for an operator to grasp; column 5, lines 30-40).

Regarding **claims 7, 25 and 38**, Chevion discloses the method, storage medium and apparatus, wherein said subtask is one of text, speech, sound and images related operations (character image; column 4, lines 50-53).

Regarding **claims 8, 26 and 39**, Chevion discloses the method, storage medium and apparatus, wherein said result is one of text (character image; column 4, lines 50-53), numbers, tuples and sound.

Regarding **claims 9, 27 and 40**, Chevion discloses the method, storage medium and apparatus, wherein said task is one of text classification, image comparison (optical character recognition (OCR; column 1, lines 25-30 with column 4, lines 50-53), image processing, speech comparison, speech recognition, conversion of speech into text and comparison of music samples.

Regarding claims **10, 28, 31 and 41**, Chevion discloses the method,
storage medium and apparatus, wherein said task is associated with one or more
attributes, wherein the attributes include an accuracy attribute (accuracy; column
8, lines 8-13), a security attribute, a timeout attribute, a maximum time spent
attribute, a maximum cost per task attribute and a maximum total cost attribute.

Regarding **claim 11**, Chevion discloses the method wherein said task is
associated with one or more attributes and said attributes include accuracy
attribute (accuracy; column 8, lines 8-13).

Regarding **claim 16**, Chevion discloses the method wherein said task is
associated with one or more attributes, and said attributes include a "maximum
time" attribute specifying a maximum amount of time to be spent by an assigned
humans to perform said first subtask (10,000 key-stokes per hour/ 20 hours of
operator time yielding 40 hours; column 8, lines 18-26).

4.   The following is a quotation of the appropriate paragraphs of 35
U.S.C. 102 that form the basis for the rejections under this section made in this
Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for patent or
(2) a patent granted on an application for patent by another filed in the United States before
the invention by the applicant for patent, except that an international application filed under
the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

5.   **Claims 1-8, 10-11, 13, 15, 17-18, 19-26, 28, 30-39, 41, 43 and 45** are

alternately rejected under 35 U.S.C. 102(e) as being anticipated by Meier et al.

(U.S. Publication No. 2002/0083079), hereinafter referenced as Meier.

Regarding claims **1, 19 and 32**, Meier discloses a hybrid/human

computation method, storage medium and apparatus, comprising:

a computer system receiving a first and a second subtask of a task (text

verification and correction; column 7, paragraph 0082);

the computer system dispatching the first subtask to a first human for

performance by said first human (information presented to the operator; column

7, paragraph 0082);

the computer system receiving a first result from said first human for said

first subtask (operator corrects; column 7, paragraph 0082; and

the computer system generating a result for said task based at least in

part on said first result (merged to create a single image file; column 7,

paragraph 0082).

Regarding **claims 2-5, 20-23 and 33-36**, Meier discloses the method,

storage medium and apparatus, wherein the method comprises said computer

system decomposing a first, second and third subtask (every word contained in

the text extract of each document is processed in order to make a text inventory;

columns 7 and 8, paragraph 0088) and the performances is done by first, second

and third human (group of users; column 8, paragraph 0093).

Regarding **claims 6, 24 and 37**, Meier discloses the method, storage medium and apparatus, wherein said human is one of college educated, at most high school educated, at most elementary school educated, and not formally educated (allows operators and end-users to easily find; columns 6-7, paragraph 0077).

Regarding **claims 7, 25 and 38**, Meier discloses the method, storage medium and apparatus, wherein said subtask is one of text, speech, sound and images related operations (photocopy images; column 6, paragraph 0063 with OCR; column 6, paragraph 0077).

Regarding **claims 8, 26 and 39**, Meier discloses the method, storage medium and apparatus, wherein said result is one of text (text; column 7, paragraph 0082), numbers, tuples and sound.

Regarding claims **10, 28, 31 and 41**, Meier discloses the method, storage medium and apparatus, wherein said task is associated with one or more attributes, wherein the attributes include an accuracy attribute (accuracy; column 7, paragraph 0079), a security attribute, a timeout attribute, a maximum time spent attribute, a maximum cost per task attribute and a maximum total cost attribute.

Regarding **claim 11**, Meier discloses the method wherein said task is associated with one or more attributes and said attributes include accuracy attribute (accuracy; column 7, paragraph 0079).

Regarding **claims 13 and 43**, Meier discloses the method and apparatus comprising tracking the accuracy of the humans (files saved in a database; columns 7 and 8, paragraph 0088).

Regarding **claims 15, 30 and 45**, Meier discloses the method, storage medium and apparatus, wherein said task is associated with one or more attributes including a security attribute, and said security attribute comprises a selection of one of a "strict" security level (full and unlimited access), a "lax" security level (low-level) and "no" security level (levels of security; column 8, paragraphs 0097-0093).

Regarding **claim 17**, Meier discloses the method wherein said task is associated with one or more attributes, and said attributes include a maximum cost per task attribute (1.8 million/$1.50 per page; column 5, paragraph 0044).

Regarding **claim 18**, Meier discloses the method wherein said task is associated with one or more attributes, and said attributes include a maximum total task per cost (1.8 million/$1.50 per page; column 5, paragraph 0044).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

7.   **Claims 12-14, 29 and 42-44** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chevion in view of Lyons (USPN 6,181,343), hereinafter

referenced as Lyons.

Regarding **claims 12, 29 and 42**, Chevion discloses a hybrid/human

computation method, storage medium and apparatus, but lacks selecting a

majority govern decision.

Lyons discloses a computer/user interface based upon computer vision

interaction by systems users (column 6, lines 29-31), for video/image processing

wherein it discloses the method (column 6, lines 12-23), storage medium and

apparatus, comprising dispatching said first subtask to N1-1 additional humans to

perform said subtask, and said accuracy comprises a selection of one of majority

governs, and at least N2 agreed answers, wherein N2 and N1 are integers, with

N2 greater than N1 (column 10, lines 32-35), to obtain the most accurate

information .

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify Chevion's method, storage medium

and apparatus wherein it selects a majority decision, so that the system goes in

the direction indicated by the majority of the users (column 10, lines 32-35).

Regarding **claims 13 and 43**, Chevion discloses the method and

apparatus comprising tracking the accuracy of the humans (records; column 7,

lines 6-11).

Regarding **claims 14 and 44**, Chevion discloses the method and

apparatus, wherein said generation of the result further takes into consideration

the accuracy of the humans (column 8, lines 8-13).

8.   **Claims 15, 17-18, 30 and 45** are rejected under 35 U.S.C. 103(a) as

being unpatentable over Chevion in view of Meier.

Regarding **claims 15, 30 and 45**, Chevion discloses a hybrid/human

computation method, storage medium and apparatus, but lacks wherein said task

is associated with a security attribute.

Meier a system and method for managing documents wherein said task is

associated with one or more attributes including a security attribute, and said

security attribute comprises a selection of one of a "strict" security level (full and

unlimited access), a "lax" security level (low-level) and "no" security level (levels

of security; column 8, paragraphs 0097-0093), to separate the different criteria's

established by the client.

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify Chevion's method, storage medium

and apparatus wherein said task is associated with a security attribute, to allow

users with certain matching and pre-authorized certificates to have access to the

database; column 8, paragraphs 0091-0093.

Regarding **claim 17**, Chevion discloses a hybrid/human computation

method, storage medium and apparatus, but lacks wherein said task is

associated with one or more attributes, and said attributes include a maximum

cost per task attribute.

Meier a system and method for managing documents wherein said task is

associated with one or more attributes, and said attributes include a maximum

cost per task attribute (1.8 million/$1.50 per page; column 5, paragraph 0044), to

obtain a charging rate.

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify Chevion's method wherein said task is

associated with one or more attributes, and said attributes include a maximum

cost per task attribute, to offer a less expensive method of managing documents

(column 5, paragraph 0044).

Regarding **claim 18**, Chevion discloses a hybrid/human computation

method, storage medium and apparatus, but lacks wherein said task is

associated with one or more attributes, and said attributes include a maximum

total task per cost.

Meier a system and method for managing documents wherein said task is

associated with one or more attributes, and said attributes include a maximum

total task per cost (1.8 million/$1.50 per page; column 5, paragraph 0044), to

obtain a charging rate.

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify Chevion's method wherein said task is

associated with one or more attributes, and said attributes include a maximum

total task per cost, to offer a less expensive method of managing documents

(column 5, paragraph 0044).
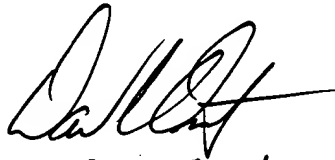

Conclusion

9.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Jakieda R Jackson whose telephone number

is 703.305.5593. The examiner can normally be reached on Monday through

Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Doris To can be reached on 703. 305.4827. The fax

phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRJ
March 4, 2005

David L. Ometz
Primary Examiner